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PATENT Jfw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ALBERT MODL

SERIAL No.: 10/030,163

FILED: April 25, 2002

FOR: METHOD, DEVICE AND SYSTEM FOR
BIOMETRICALLY AUTHENTICATING

GROUP ART UNIT: 2876

EXAMINER: Daniel St. Cyr

ATTY. REFERENCE: MODL3002/JEK/JJC



COMMISSIONER FOR PATENTS

P.O. BOX 1450

Alexandria, VA 22313-1450

Sir:

The below identified communication(s) or document(s) is(are) submitted in the above application or proceeding:

- | | |
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| <input type="checkbox"/> Declaration | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Priority Document | <input checked="" type="checkbox"/> Check in the Amount of <u>\$ 180.00</u> |
| <input type="checkbox"/> Formal Drawings | <input type="checkbox"/> Assignment, including cover sheet and fee of \$ |
| <input type="checkbox"/> Small Entity Declaration(s) | <input checked="" type="checkbox"/> Information Disclosure Statement; PTO-1449 form and a copy of the cited references |

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DATE: May 26, 2004

Respectfully submitted,

JUSTIN J. CASSELL
Attorney for Applicant
Registration Number: 46,205



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor: ALBERT MODL

Examiner: Daniel St. Cyr

Application No.: 10/030,163

Art Unit: 2876

Confirmation No.: 4360

Filed: April 25, 2002

Attorney No.: MODL3002/JEK/JJC

Customer No.: 23364

For: METHOD, DEVICE AND SYSTEM FOR BIOMETRICALLY
AUTHENTICATING A PERSON

INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents
Washington, D.C. 20231

Sir:

Pursuant to Rule 37 C.F.R. §1.51(b), §1.56, §1.97, and §1.98, this Information Disclosure Statement is submitted in the above-identified patent application. A listing of documents to be published on the face of any patent granted from this application is submitted herewith on Form PTO-1449. Any other documents or information submitted for consideration by the Examiner are listed in this paper. A copy of each U.S. and foreign patent, or each publication or portion thereof listed or herein identified is submitted herewith, except that (1) a copy of any U.S. patent application identified herein or any patent, publication or other information listed herein cited or submitted in a prior application relied upon for an earlier filing date under 35 U.S.C. §120 and identified below, is not submitted herewith, and (2) a copy of any U.S. patent or published patent application identified herein is not submitted herewith, if this application was filed or entered the U.S. national stage on or after June 30, 2003 (or if applicable, this international application entered the U.S. national stage on or after June 30, 2003).

Application No.: 10/030,163
Examiner: Daniel St. Cyr
Art Unit: 2876

Statement of Timeliness

This Information Disclosure Statement is submitted after three months from (i) the filing date of the above-identified U.S. National Patent application, or (ii) after three months from entry into the U.S. National Stage of the above-identified International Application, or (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of any Final Action, Notice of Allowance, or Action closing prosecution sent in such application. The fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

It will be noted that a Request for Continued Examination was filed thereby removing the finality of the Office Action of August 12, 2003. This Information Disclosure Statement is being filed after receipt of the Office Action of February 23, 2004 received after the Request for Continued Examination was filed. The Office Action of February 23, 2004 included a non-final rejection of the claims of the present application.

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

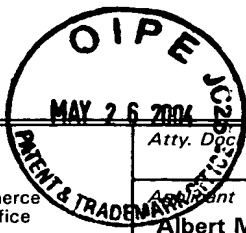
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written over a horizontal line.

JUSTIN J. CASSELL
Attorney for Applicants
Registration No. 46,205



B/O Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	Atty. Doc. Number MODL3002/JEK/JJC	Serial Number 10/030,163
	Applicant Albert MODL et al.	
	Filing Date January 30, 2002	Group 2876

U.S. Patent Documents

Examiner Initial	Document Number	Date	Patentee/Applicant	Class	Subclass	Filing Date if Appropriate
	5,876,926	Mar. 1999	Beecham			

Foreign Patent Documents

Examiner Initial	Document Number	Publication Date	Country/Agency	Class	Subclass	Translation	
						Yes	No
	0 924 655	June 2003	EPO				X

Other Documents (Including Author, Title, Date, Pertinent Pages, Place of Publication, Etc.)

Examiner	Date Considered
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.